IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 2ND NOVEMBER 2007 / 11TH KARTHIKA 1929

Bail Appl..No. 6646 of 2007()

CRIME NO. 396/07 OF BEKAL POLICE STATION
AGAINST THE JUDGEMENT/ORDER IN BA.6192/2007

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PETITIONER/ACCUSED

ABOOBACKER HAJI, S/O.ABBAS,
AGED 57, CHERUMBA, AMARIYA HOUSE,
OANAYAL VILLAGE, (UNDER CUSTODY).

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENTS: COMPLAINANT/STATE
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1. STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. S.H.O., BEKAL POLICE STATION.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 6646 of 2007

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Dated this the 2nd day of November, 2007

O R D E R

Application for regular bail. The petitioner is the first accused. He faces allegations under the Kerala Abkari Act. 350 litres of arrack was allegedly found in the premises of the second accused, of which the petitioner is the landlord. There is an allegation that the petitioner had run away from the scene of the crime when the police party was about to reach the premises. The petitioner was arrested on 1.10.2007 and he continues in custody from that date. The application for regular bail filed by the petitioner earlier was dismissed as per order dt. 11.10.2007 in B.A.No. 6192 of 2007. Facts have been adverted to in detail in that order. This order must be read in continuation of that order. I am not hence adverting to facts in any greater detail in this order.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer and I am

satisfied that the petitioner can now be enlarged on bail, subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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